

CALIFORNIA COASTAL COMMISSION

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Hearing Date: January 9, 2008

Commission Action:

To: California Coastal Commissioners

From: Peter M. Douglas, Executive Director
Al Wanger, Deputy Director

Date: December 4, 2007

Subject: Agreement with the State Water Resources Control Board (SWRCB) for Commission to continue the implementation of the *Plan for California's Nonpoint Source Pollution Control Program* (California NPS Plan).

1.0 STAFF RECOMMENDATION

The staff recommends that the Commission authorize the Executive Director to enter into an agreement with the SWRCB, and to make any amendments thereto, under which the Commission would receive \$425,000 over a 12-month period to continue and enhance the Commission's role in the implementation of the California NPS Plan. Specific staff responsibilities are described under "Scope of Work" below. Staff work pursuant to this agreement is consistent with the Commission's overall strategy for enhancing the coastal program's management of polluted runoff in the coastal zone.

2.0 MOTION AND RESOLUTION

Commission approval of the Agreement requires the following motion:

I hereby move that the Commission authorize the Executive Director to enter into an agreement with the State Water Resources Control Board, and to make any amendments thereto, for receiving \$425,000 to undertake activities as recommended by staff related to the implementation of the *Plan for California's Nonpoint Source Pollution Control Program*.

The staff recommends a "yes" vote on the foregoing motion.

3.0 SCOPE OF WORK

The SWRCB and CCC adopted, in December 1999, and January 2000, respectively, the California NPS Plan, which also received full approval from the National Oceanic and Atmospheric Administration and the U.S. Environmental Protection Agency on July 17, 2000. The California NPS Plan is a joint effort between the SWRCB and CCC to address nonpoint source (NPS) pollution using education and outreach, financial and technical assistance, and regulatory authorities when necessary. The interagency collaboration is a response to the 1990 Coastal Zone Act Reauthorization Amendments' (CZARA) mandate to establish a link between land use activities and coastal water quality, and the key elements identified in the 1996 Clean Water Act §319 program guidance. Under CZARA, coastal states must enhance cooperation between their land use and water management

agencies, identify management measures to prevent and control polluted runoff, and ensure that enforceable mechanisms exist where self-determined (voluntary) efforts are insufficient to restore and protect State waters. The California NPS Plan includes the following key components:

1. Adoption of 61 NPS management measures (MMs) and a commitment to their full implementation statewide by 2013;
2. A Fifteen-Year Program Strategy that contains a phased watershed-based approach targeting those pollution problems that are most critical and amenable to prevention and remediation;
3. The first two of three Five-Year Implementation Plans describing activities for which various agencies and entities are responsible under each MM until June 30, 2008, and a schedule for the development of the final five-year plan; and
4. A framework for establishing interagency committees to assist in the implementation of the California NPS Plan.

Under the proposed standard agreement with the SWRCB, the Coastal Commission would receive \$425,000 over a 12-month period for Commission staff to participate in the implementation of the California NPS Plan. Specific tasks include:

- Work staff of the SWRCB NPS and USEPA staff to develop the third Five Year Implementation Plan for the California NPS program and share in the responsibility for implementing the California NPS Plan;
- Lead and facilitate the Wetlands, Riparian Areas, and Vegetated Treatment Systems workgroup, the Marinas and Recreational Boating workgroup and the Critical Coastal Areas (CCA) Subcommittee;
- Provide support to CCC planning staff in application of NPS MMs and MPs.
- Work with steering committees on three Critical Coastal Areas pilot projects at Trinidad Head, Fitzgerald Marine Reserve and Watsonville Sloughs. Lead the effort to define working relationships, goals, milestones and schedules in the work to develop a CCA Action plan at each of these pilot projects.
- Develop, organize and facilitate four workshops on the uses and benefits of Permeable Pavement products in coastal development projects at four locations along north and central California coast.